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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,434	11/01/2001	Toshifumi Yamamoto	215511US2SPCT	3102
22850 7590 02/15/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER DANIEL JR, WILLIE J	
			ART UNIT 2617	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	02/15/2007	ELECTRONIC

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# Office Action Summary

Application No.

09/926,434

Applicant(s)

YAMAMOTO, TOSHIFUMI

Examiner

Willie J. Daniel, Jr.

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2617.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 24, 26-28, 63, 65 and 66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24, 26-28, 63, 65 and 66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This action is in response to applicant's amendment filed on 21 November 2006. **Claims 24, 26-28, 63, and 65-66** are now pending in the present application and **claims 1-23, 25, 29-62, and 64** are canceled. This office action is made **Final**.

### ***Claim Objections***

2. The objections applied to the claims are withdrawn, as the proposed claim corrections are approved.

### ***Specification***

3. The objection applied to the specification is withdrawn, as the proposed specification correction is approved.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 66, 24, 28, and 63** are rejected under 35 U.S.C. 102(e) as being anticipated by **Larsson et al.** (hereinafter Larsson) (US 6,697,638 B1).

Regarding **claims 66 and 24**, Larsson discloses a hand-held portable telephone (100) which reads on the claimed “mobile communication terminal” connectable to a vehicle mounted phone part (160 car kit) which reads on the claimed “an electronic device” (see Figs. 1-15), the mobile communication terminal (100) comprising:

a cellular transceiver (110) which reads on the claimed “first interface” for making radio communication with a cellular system (152) which reads on the claimed “mobile communication network” (see Fig. 1); and

a low power transceiver (120) which reads on the claimed “second interface” for making radio communication with the electronic device (160) (see Fig. 1);

wherein the connection control section starts a connection procedure with the electronic device (160) by transmitting a response signal that includes identification information of the mobile communication terminal (100) to the electronic device (160) to determine presence of a mobile communication terminal (100) within a radio area of the electronic device (160) is detected (see col. 4, lines 1-5; Figs. 1 and 4-7), and

automatically sets a communication mode to a hands-free mode if the connection procedure is completed (see col. 5, lines 51-57; col. 6, lines 13-15),

disconnects the connection with the electronic device (160) and sets the communication mode to its own communication mode if no packet, which is periodically output from the electronic device (160) for acknowledgement of the connection, is received for a predetermined time period (see col. 7, lines 35-41).

Regarding **claim 28**, the mobile communication terminal according to claim 24, wherein the connection control section transmits an authentication code to the car mounted electronic device (160) in the connection procedure via the second interface (120) (see Figs. 5, 7, and 9).

Regarding **claim 63**, the mobile communication terminal according to claim 28, wherein the connection control section transmits address information identifying the mobile communication terminal in the connection procedure (see col. 4, lines 1-5; Fig. 4).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 24, 26-28, 63, and 65-66** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chennakeshu et al.** (hereinafter Chennakeshu) (**US 6,542,758 B1**) in view of **Raith** (**US 6,493,550 B1**) and **Chen et al.** (hereinafter Chen) (**US 5,751,719**).

Regarding **claims 24 and 65-66**, Chennakeshu discloses a base unit (20) which reads on the claimed “mobile communication terminal” connectable to a control unit (40) which reads on the claimed “car mounted electronic device” (see col. 3, line 60 - col. 4, line 3; col. 2, lines 47-51; Figs. 1-3, 5, 7, and 9), the mobile communication terminal comprising:

a RF transceiver (24) which read on the claimed “first interface” for making radio communication with a mobile communication network (see col. 4, lines 1-3, 11-16; col. 6, lines 8-11; Figs. 2 “ref. 24”, 5, and 6 “ref. 103”), where the base unit (20) or handheld terminal (20) of the mobile phone system (10) can communicate with stations outside of the vehicle;

a interface module (32) which reads on the “second interface” for making radio communication with the car mounted electronic device (see col. 4, lines 22-23, 60-64; Figs. 2 “ref. 32” and 3 “ref. 54”); and

a connection control section for controlling connection to the car mounted electronic device (20) (see col. 4, lines 16-22, 45-57; Figs. 2-3), where the system has control logic (26, 52) for controlling operation;

wherein the connection control section starts a connection procedure with the car mounted electronic device (40) by transmitting a response signal that includes attribute information of the mobile communication terminal (20) to the car mounted electronic device (40) (see col. 8, line 64 - col. 9, line 23; col. 8, lines 54-57)

when the car mounted electronic device (40) to determine presence of a mobile communication terminal (20) within a radio area of the car mounted electronic device (40) is detected (see col. 8, lines 54-57; col. 6, lines 31-42), and

sets communication mode in a hands-free mode automatically if the connection procedure is completed (see col. 6, lines 55-65). Chennakeshu does not specifically disclose having the features when a paging signal transmitted from the car mounted electronic device to determine presence of a mobile communication terminal within a radio area of the car mounted electronic device is detected, and disconnects the connection with the car mounted electronic device and sets the communication mode in its own communication mode if no packet, which is periodically output from the car mounted electronic device for acknowledgement of the connection, is received for a predetermined time period. However, the examiner maintains that the feature when a paging signal transmitted from the car mounted electronic device to determine presence of a mobile communication terminal within a radio area of the car mounted electronic device is detected was well known in the art, as taught by Raith.

In the same field of endeavor, Raith discloses the feature when a paging signal transmitted from the car mounted electronic device to determine presence of a mobile communication terminal within a radio area of the car mounted electronic device is detected (see col. 7, lines 1-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chennakeshu and Raith to have the feature when a paging signal transmitted from the car mounted electronic device to determine presence of a mobile communication terminal within a radio area of the car mounted electronic device is detected, in order to detect the presence of a system, as taught by Raith (see col. 3, lines 1-3, 6-9, 47-51). The combination of Chennakeshu and Raith does not specifically disclose having the feature disconnects the connection with the car mounted electronic device and sets the communication mode in its own communication mode if no packet, which is periodically output from the car mounted electronic device for acknowledgement of the connection, is received for a predetermined time period. However, the examiner maintains that the feature disconnects the connection with the car mounted electronic device and sets the communication mode in its own communication mode if no packet, which is periodically output from the car mounted electronic device for acknowledgement of the connection, is received for a predetermined time period was well known in the art, as taught by Chen.

In the same field of endeavor, Chen discloses the feature disconnects the connection with the car mounted electronic device and sets the communication mode in its own communication mode if no packet, which is periodically output from the car mounted



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electronic device for acknowledgement of the connection, is received for a predetermined time period (see col. 9, line 51 - col. 10, line 25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chennakeshu, Raith, and Chen to have the feature disconnects the connection with the car mounted electronic device and sets the communication mode in its own communication mode if no packet, which is periodically output from the car mounted electronic device for acknowledgement of the connection, is received for a predetermined time period, in order to detect a disconnect, as taught by Chen (see col. 2, lines 7-10, 13-17).

Regarding **claim 26**, the combination of Chennakeshu, Raith, and Chen discloses every limitation claimed, as applied above (see claim 24), in addition Chennakeshu further discloses the mobile communication terminal according to claim 24, further comprising an information transfer control section for transferring an incoming call to the car mounted electronic device (40) via the second interface (32) when the incoming call is received from the mobile communication network via the first interface (24) (see col. 4, lines 13-22, 42-57; Figs. 2-3).

Regarding **claim 27**, the combination of Chennakeshu, Raith, and Chen discloses every limitation claimed, as applied above (see claim 24), in addition Chennakeshu further discloses the mobile communication terminal according to claim 24, further comprising an information transfer control section configured to transfer an outgoing call to the mobile communication network via the first interface (24) when the outgoing call is received from

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the car mounted electronic device (40) via the second interface (32) (see col. 4, lines 13-22, 42-57; Figs. 2-3).

Regarding **claims 28**, the combination of Chennakeshu, Raith, and Chen discloses every limitation claimed, as applied above (see claim 24), in addition Chennakeshu further discloses the mobile communication terminal according to claim 24, wherein the connection control section transmits an authentication code to the car mounted electronic device (40) in the connection procedure via the second interface (32) (see col. 8, lines 18-64), where the system has a unique identification number for authorized users.

Regarding **claims 63**, the combination of Chennakeshu, Raith, and Chen discloses every limitation claimed, as applied above (see claim 28), in addition Chennakeshu further discloses the mobile communication terminal according to claim 28, wherein the connection control section transmits address information identifying the mobile communication terminal in the connection procedure (see col. 8, lines 18-64), where the system has a unique identification number for authorized users.

*Response to Arguments*

6. Applicant's arguments with respect to claims 24, 26-28, 63, and 65-66 have been considered but are moot in view of the new ground(s) of rejection necessitated by the new limitations and claims.

In response to applicant's arguments, the Examiner respectfully disagrees as the applied reference(s) provide more than adequate support and to further clarify (see the above claims for relevant citations).

7. Applicant amended the claim language but failed to provide support (i.e., page(s), line(s), and drawing(s)) for the newly amended claim language. The Examiner requests applicant to provide support for the response filed 21 November 2006 and any further amended claim language.

*Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

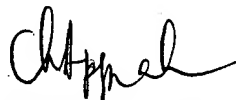
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WJD,JR/

WJD,JR  
06 February 2007

  
**CHARLES APPIAH**  
PRIMARY EXAMINER